IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

RSA No. 3885 of 2002

Date of decision : November 23, 2007

Bishan Singh and another

....Appellants

versus

Raghbir Singh and another

....Respondents

Coram: Hon'ble Mr. Justice Pritam Pal

Present : Mr. Vikram Singh, Advocate for the appellants
Mr. Rajneesh Gupta, Advocate, for respondent

Pritam Pal,J. (Oral)

This regular second appeal by the appellant/defendant is directed against the judgment and decree dated 1.12.2000 whereby trial court had decreed the suit of the plaintiff for declaration with consequential relief of permanent injunction on the basis of a decree passed in his favour in suit No. 956 of 1993 titled Bira vs Jogi. Thereafter appeal filed by the appellant-defendant has also been dismissed vide judgment and decree 1.6.2002. The suit property in this case is a small piece of Bara situated within the abadi deh which had fallen to the share of the plaintiff-respondent in a family settlement. Admittedly, the decree on the basis of which plaintiff-respondent had filed a suit, still holds good.

In the given facts and circumstances, the findings arrived at by the courts below on material issues are not un-reasonable or perverse. Not only that, in this case, no substantial question of law is there for adjudication by this Court.

Dismissed.

(Pritam Pal)
Judge

November 23, 2007
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